

FILED

September 7, 2022

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: SAJ
Deputy

UNITED STATES OF AMERICA,

Plaintiff

v

(1) MARIO ALBERTO GUERRA and
(2) GABRIEL GUERRA

Defendant.

Case No: SA:22-CR-00457-XR

I N D I C T M E N T

COUNT 1:

18 U.S.C. § 922(g)(1) Felon in Possession
of a Firearm;

COUNT 2:

18 U.S.C. § 922(o) Illegal Possession of a
Machine Gun

COUNT 3:

18 U.S.C. § 922(d)(1)& 924(a)(2) Sale or
Transfer to a Prohibited Person;

**Notice of Government's Demand for
Forfeiture**

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. § 922(g)(1)]

On or about March 3, 2022, in the Western District of Texas, Defendant,

(1) MARIO ALBERTO GUERRA,

knowing he had previously been convicted of a crime punishable by imprisonment for a term
exceeding one year, knowingly possessed a firearm(s), namely:

1. a Glock, Model 43X, 9mm caliber pistol, Serial Number USA20-829,
2. A Taurus, Model 856, 38 caliber revolver, Serial Number ABL125806

3. A Ruger, Model SR1911, 45 Caliber pistol, Serial Number 673-13268
 4. A Taurus, Model PT1911, 38 Caliber pistol, Serial Number LBW75832,
 5. A Smith & Wesson, Model M&P 10 Receiver/Frame, Serial Number KN19143,
 6. A Glock GMBH, Model 43, 9 caliber pistol, Serial Number BCGF179,
 7. A Savage, Model 11, 308 Caliber rifle, Serial Number K327567,
 8. A Taurus, Model ROSSI R92, 44 rifle, Serial Number 5GS062835,
 9. Five (5) Firearm Conversion Kits; 3D printed auto sears, with no manufacture marking and serial number, dimensionally correct and containing a metal leg, the combination of these parts is designed and intended, for use in converting a semiautomatic weapon into a machinegun;
 10. Two (2) Slide fire brand bump-stock devices, namely: one with no manufacture markings and no serial number; and the other model SSAR 15 SB, no manufacture markings and no serial number. designed to be installed on an AR15-type firearm, and
 11. A Wilson Combat, AR15-type receiver, serial number WCPL07202,
- and the firearm(s) had travelled in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922 (g)(1).

COUNT TWO
[18 U.S.C. §922(o)]

On or about March 3, 2022, in the Western District of Texas, Defendant,

(2) GABRIEL GUERRA,

did knowingly possess a machinegun(s) namely:

1. Five (5) Firearm Conversion Kits; 3D printed auto sears, with no manufacture marking and serial number, dimensionally correct and containing a metal leg, the

combination of these parts is designed and intended, for use in converting a semiautomatic weapon into a machinegun;

2. Two (2) Slide fire brand bump-stock devices, namely: one with no manufacture markings and no serial number; and the other model SSAR 15 SB, no manufacture markings and no serial number. designed to be installed on an AR15-type firearm, and

3. A Wilson Combat, AR15-type receiver, serial number WCPL07202,

in violation of 18, United States Code, Section 922 (o).

COUNT THREE
[18 U.S.C. §922(d)(1)]

On or about the March 3, 2022, in the Western District of Texas, the Defendant,

(2) GABRIEL GUERRA,

Knowingly disposed of and loaned a firearm; namely: a Glock, Model 43X, 9mm caliber pistol, Serial Number USA20-829, to Mario Alberto Guerra knowing and having reasonable cause to believe that Mario Alberto Guerra had been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(d)(1).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Firearm Violation and Forfeiture Statutes

[Title 18 U.S.C. §§ 922(g)(1), (o), (d)(1), and 924(a)(2), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c)]

As a result of the foregoing criminal violations set forth above, the United States of America gives notice to Defendants **MARIO ALBERTO GUERRA** and **GABRIEL GUERRA**, of its intent to seek the forfeiture of the properties described below upon conviction pursuant to

FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 924(d)(1), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c). Section 924 states, in pertinent part, the following:

Title 18 U.S.C. § 924.

* * *

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (g) . . . of section 922 . . . or knowing violation of section 924 . . . or willful violation of any other provision of this chapter. . . shall be subject to seizure and forfeiture under the provisions of this chapter. . .

This Notice of Demand for Forfeiture includes but is not limited to the properties described in Paragraph III.

III.
Properties

1. Glock Inc., model 43X pistol, 9mm caliber, SN: USA20-829;
2. Glock GMBH, model 17 Gen5 pistol, 9mm caliber, SN: BGMG981;
3. Anderson Manufacturing, model AM-15 rifle, multi caliber, SN: 20161611;
4. Bul Transmark LTD, model Desert Eagle 1911G pistol, caliber 45, SN: G021383;
5. POLYMER80, INC. (P80 TACTICAL P80), caliber unknown, SN unknown;
6. 17 Manufactured machine guns, caliber unknown, SN unknown;
7. Taurus, model 856 revolver, .38 caliber, SN: ABL125806;
8. Ruger, model SR1911 pistol, .45 caliber, SN: 673-13268;
9. Taurus, model PT1911 pistol, .38 caliber, SN: LBW75832;
10. Smith & Wesson, model M&P 10, unknown caliber, SN: KN19143;
11. Glock GMBH, model 43 pistol, 9mm caliber, SN: BCGF179;
12. Savage, model 11 rifle, .308 caliber, SN: K327567;
13. Taurus, model Rossi R92 rifle, 44 caliber, SN: 5GS062835;
14. Wilson Combat Machinegun, caliber unknown, SN: WCPL07202;
15. Savage, model Axis rifle, .223 caliber, SN: J876933;
16. Homemade Silencer with Baffling and Thread End Cap, caliber unknown, SN unknown;
17. Anderson Manufacturing, model AM-15 pistol, multi caliber, SN: 19177180;
18. Century Arms International, model C39 pistol, .762 caliber, SN: 39WM-002829;
19. STI International, DVC Classic pistol, 9mm caliber, SN: NG23177;
20. German Sports Guns, model GSG-MP40P pistol, 9mm caliber, SN: A870381;
21. FN Herstal, model PS90 Rifle, .57 caliber, SN: FN105404;
22. Masterpiece Arms Defender Machinegun, 9mm caliber, SN: FX32221;
23. Masterpiece Arms, model MPA30 Pistol, 9mm caliber, SN: F20171;
24. Polymer80, Inc, model PF940C pistol, .40 caliber, SN unknown;
25. Magnum Research Inc., model Desert Eagle pistol, .50 caliber, SN: DK0031287;
26. Aero Precision, model X15 rifle, multi caliber, SN: X370595;
27. WWI (Windham Weaponry Inc.), model WW-15 rifle, .223 caliber, SN: WW006567;
28. Glock GMBH, model 17 pistol, 9mm caliber, SN: BCPK832;

29. Bushmaster Firearms, model XM15-E2S rifle, .223 caliber, SN: BK1701740;
30. Smith & Wesson, model M&P 15 rifle, multi caliber, SN: SU62897;
31. Anderson Manufacturing, model AM-15 Rifle, multi caliber, SN:19177178;
32. Israel Weapon Ind-IWI (Israel Military Ind-IMI), model Uzi Pro pistol, 9mm caliber, SN: U1001388;
33. Polymer 80, model PF940C pistol, caliber unknown SN unknown;
34. Polymer 80 pistol, caliber unknown, SN unknown;
35. Polymer 80 pistol, caliber unknown, SN unknown;
36. Intratec Inc., model TEC9 pistol, 9mm caliber, SN: 119488;
37. Umarex Sportwaffen GMBH & Co. Kg. BERETTA ARX160 rifle, .22 caliber, SN:PB035093;
38. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

A TRUE BILL.

FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY



For PRISCILLA GARCIA
Assistant U.S. Attorney